

An Act

HOUSE BILL 22-1402

BY REPRESENTATIVE(S) Garnett, Amabile, Benavidez, Bernett, Bird, Duran, Esgar, Jodeh, Kipp, Lindsay, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ricks, Snyder, Sullivan, Titone, Valdez A., Valdez D., Williams, Woodrow, Cutter, Young; also SENATOR(S) Hansen, Hisey, Lee, Moreno, Priola, Rankin.

CONCERNING MEASURES TO PROMOTE RESPONSIBLE GAMING, AND, IN CONNECTION THEREWITH, CREATING THE RESPONSIBLE GAMING GRANT PROGRAM, ESTABLISHING FUNDING MECHANISMS TO SUPPORT THE GRANT PROGRAM, AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add with amended and relocated provisions** part 17 to article 30 of title 44 as follows:

PART 17 MEASURES TO PROMOTE RESPONSIBLE GAMING

44-30-1701. Definitions. AS USED IN THIS PART 17, UNLESS THE CONTEXT OTHERWISE REQUIRES:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(1) "BEHAVIORAL HEALTH ADMINISTRATION" MEANS THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED PURSUANT TO SECTION 27-60-203 (5)(a).

(2) (a) "ELIGIBLE APPLICANT" MEANS:

(I) AN AGENCY OF THE STATE GOVERNMENT;

(II) A LOCAL GOVERNMENT; AND

(III) EXCEPT AS DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION, A NONPROFIT ORGANIZATION.

(b) "ELIGIBLE APPLICANT" DOES NOT INCLUDE A NONPROFIT ORGANIZATION OR A PUBLIC OR PRIVATE NONPROFIT FOUNDATION THAT IS:

(I) AFFILIATED WITH A PERSON LICENSED UNDER THIS ARTICLE 30;
OR

(II) FUNDAMENTALLY OPPOSED TO GAMING.

(3) "FUND" MEANS THE RESPONSIBLE GAMING GRANT PROGRAM CASH FUND CREATED IN SECTION 44-30-1702 (8).

(4) "GRANT PROGRAM" MEANS THE RESPONSIBLE GAMING GRANT PROGRAM CREATED IN SECTION 44-30-1702 (1).

(5) "LOCAL GOVERNMENT" MEANS A CITY, A COUNTY, OR A CITY AND COUNTY.

44-30-1702. Responsible gaming grant program - creation - rules - application process - cash fund created - repeal. (1) THE RESPONSIBLE GAMING GRANT PROGRAM IS HEREBY CREATED IN THE DEPARTMENT TO PROMOTE RESPONSIBLE GAMING AND ADDRESS PROBLEM GAMING IN THE STATE.

(2) (a) THE COMMISSION, IN COLLABORATION WITH THE BEHAVIORAL HEALTH ADMINISTRATION, SHALL ADMINISTER THE GRANT PROGRAM AND SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION. GRANTS SHALL BE PAID OUT OF THE FUND.

(b) THE COMMISSION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSES OF THE GRANT PROGRAM. ANY MONEY RECEIVED AS GIFTS, GRANTS, AND DONATIONS BY THE COMMISSION SHALL BE TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

(3) THE COMMISSION, IN COLLABORATION WITH THE BEHAVIORAL HEALTH ADMINISTRATION, SHALL PROMULGATE SUCH RULES AS ARE REQUIRED IN THIS SECTION AND SUCH ADDITIONAL RULES AS MAY BE NECESSARY TO IMPLEMENT THE GRANT PROGRAM. AT A MINIMUM, THE RULES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY.

(4) TO RECEIVE A GRANT, AN ELIGIBLE APPLICANT MUST SUBMIT AN APPLICATION TO THE COMMISSION IN ACCORDANCE WITH RULES PROMULGATED BY THE COMMISSION. AT A MINIMUM, THE APPLICATION MUST INCLUDE THE FOLLOWING INFORMATION:

(a) THE AMOUNT OF GRANT MONEY REQUESTED BY THE ELIGIBLE APPLICANT;

(b) HOW THE ELIGIBLE APPLICANT WILL SPEND THE GRANT MONEY TO ADDRESS PROBLEM GAMING OR INCREASE AWARENESS OF RESPONSIBLE GAMING;

(c) INFORMATION CONCERNING ANY CURRENT OR PAST PROJECTS IN WHICH THE ELIGIBLE APPLICANT HAS PARTICIPATED AND THAT ADDRESSED RESPONSIBLE GAMING OR PROBLEM GAMING; AND

(d) ANY OTHER INFORMATION REQUIRED BY RULES PROMULGATED BY THE COMMISSION PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(5) THE COMMISSION SHALL REVIEW THE APPLICATIONS RECEIVED PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE COMMISSION, IN COLLABORATION WITH THE BEHAVIORAL HEALTH ADMINISTRATION, SHALL CONSIDER THE FOLLOWING CRITERIA:

(a) THE CURRENT NEEDS OF THE STATE RELATING TO RESPONSIBLE OR PROBLEM GAMING;

(b) THE OVERALL IMPACT THAT A PROPOSED GRANT MAY HAVE ON RESPONSIBLE OR PROBLEM GAMING;

(c) THE AMOUNT OF MONEY AVAILABLE IN THE FUND;

(d) THE AMOUNT OF GRANT MONEY REQUESTED BY EACH ELIGIBLE APPLICANT;

(e) WHETHER THE ELIGIBLE APPLICANT INTENDS TO USE GRANT MONEY FOR ANY OF THE FOLLOWING PURPOSES:

(I) PREVENTION OR EDUCATION SERVICES CONCERNING GAMBLING ADDICTION;

(II) CERTIFICATION OF GAMBLING ADDICTION COUNSELORS;

(III) PUBLIC AWARENESS OF SERVICES CONCERNING GAMBLING ADDICTION;

(IV) TREATMENT OF GAMBLING ADDICTION DISORDERS;

(V) RECOVERY SERVICES; OR

(VI) DATA REPORTING AND DATA SYSTEMS; AND

(f) ANY OTHER CRITERIA ESTABLISHED BY RULES PROMULGATED BY THE COMMISSION PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(6) GRANTEES SHALL USE GRANT MONEY ONLY FOR THE PURPOSES FOR WHICH THE GRANT MONEY IS AWARDED.

(7) (a) ON OR BEFORE SEPTEMBER 1, 2023, AND ON OR BEFORE SEPTEMBER 1 EACH YEAR THEREAFTER THROUGH THE YEAR FOLLOWING THE YEAR AFTER WHICH A GRANTEE FULLY EXPENDS ITS GRANT MONEY, EACH GRANTEE SHALL SUBMIT A REPORT TO THE COMMISSION. AT A MINIMUM, THE REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

(I) AN INDICATION OF WHETHER THE GRANTEE ACHIEVED THE OBJECTIVES THAT THE GRANTEE DESCRIBED IN ITS APPLICATION FOR A GRANT;

(II) AN EVALUATION OF THE RESULTS OF THE GRANTEE'S GRANT-FUNDED PROJECT;

(III) A DESCRIPTION OF THE IMPACT OF THE GRANTEE'S USE OF GRANT MONEY ON THE COMMUNITY WITH REGARD TO RESPONSIBLE OR PROBLEM GAMING;

(IV) THE TOTAL AMOUNT OF GRANT MONEY RECEIVED AND THE TOTAL AMOUNT OF GRANT MONEY EXPENDED BY THE GRANTEE; AND

(V) ANY OTHER INFORMATION THAT IS REQUIRED BY RULES PROMULGATED BY THE COMMISSION PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(b) ON OR BEFORE DECEMBER 1, 2023, AND ON OR BEFORE DECEMBER 1 EACH YEAR THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM, THE COMMISSION SHALL SUBMIT A SUMMARIZED REPORT TO THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR COMMITTEES, AND TO THE BEHAVIORAL HEALTH ADMINISTRATION CONCERNING THE GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

(I) THE TOTAL NUMBER OF GRANTS, AND THE TOTAL AMOUNT OF GRANT MONEY, AWARDED BY THE GRANT PROGRAM IN THE PRECEDING STATE FISCAL YEAR;

(II) THE IDENTITY OF EACH GRANTEE AND THE TOTAL AMOUNT OF GRANT MONEY AWARDED TO EACH GRANTEE IN THE PRECEDING STATE FISCAL YEAR;

(III) THE INFORMATION REPORTED BY EACH GRANTEE PURSUANT TO SUBSECTIONS (7)(a)(II) AND (7)(a)(III) OF THIS SECTION; AND

(IV) FINANCIAL STATEMENTS CONCERNING THE STATUS OF, AND ACTIVITIES CONCERNING, THE FUND.

(c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT SET FORTH IN SUBSECTION (7)(b) OF THIS SECTION CONTINUES

UNTIL THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (9) OF THIS SECTION.

(8) (a) THE RESPONSIBLE GAMING GRANT PROGRAM CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF:

(I) MONEY TRANSFERRED TO THE FUND FROM THE WAGERING REVENUE RECIPIENTS HOLD-HARMLESS FUND PURSUANT TO SECTION 44-30-1509 (2)(c)(IV);

(II) MONEY TRANSFERRED TO THE FUND FROM THE LIMITED GAMING FUND PURSUANT TO SECTION 44-30-701 (2)(a)(VI.5);

(III) ANY GIFTS, GRANTS, AND DONATIONS RECEIVED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION; AND

(IV) ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. ANY MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND.

(c) MONEY IN THE FUND IS ANNUALLY APPROPRIATED TO THE DEPARTMENT FOR USE BY THE COMMISSION FOR THE PURPOSES DESCRIBED IN THIS SECTION. ANY MONEY THAT IS AWARDED AS A GRANT TO ANY STATE AGENCY IS FURTHER ANNUALLY APPROPRIATED TO THE STATE AGENCY FOR USE BY THE STATE AGENCY CONSISTENT WITH THIS SECTION.

(d) THE COMMISSION MAY EXPEND MONEY FROM THE FUND TO PAY THE DIRECT AND INDIRECT ADMINISTRATIVE EXPENSES INCURRED BY THE COMMISSION IN ADMINISTERING THE GRANT PROGRAM; EXCEPT THAT THE TOTAL AMOUNT OF MONEY EXPENDED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (8)(d) IN A STATE FISCAL YEAR MAY NOT EXCEED FIVE PERCENT OF THE TOTAL AMOUNT OF GRANT MONEY AWARDED BY THE COMMISSION IN THAT STATE FISCAL YEAR.

(e) ON AUGUST 31, 2032, THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON THAT DATE

TO THE GENERAL FUND.

(9) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032. BEFORE THE REPEAL, THE GRANT PROGRAM IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

44-30-1703. Exclusion of certain individuals from participation in gaming activities - duties of division - mechanism for self-exclusion - confidential records - rules. (1) (a) ON AND AFTER JANUARY 1, 2023, THE DIVISION SHALL OPERATE A PROGRAM TO:

(I) EXCLUDE THE FOLLOWING INDIVIDUALS FROM PARTICIPATION IN GAMING ACTIVITIES IN THE STATE:

(A) INDIVIDUALS WHO HAVE VOLUNTARILY REQUESTED TO BE EXCLUDED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION; AND

(B) INDIVIDUALS WHO ARE REQUIRED BY THE COMMISSION TO BE EXCLUDED OR EJECTED FROM ANY LICENSED GAMING ESTABLISHMENT PURSUANT TO SUBSECTION (3) OR (4) OF THIS SECTION; AND

(II) EXCLUDE FROM CERTAIN SPORTS BETTING INDIVIDUALS WHO ARE PROHIBITED FROM PLACING WAGERS ON CERTAIN SPORTING EVENTS PURSUANT TO SECTION 44-30-1502.

(b) THE DIVISION SHALL OPERATE THE PROGRAM IN ACCORDANCE WITH RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SECTION.

(2) (a) THE DIVISION SHALL INCLUDE IN THE PROGRAM DESCRIBED IN SUBSECTION (1) OF THIS SECTION MECHANISMS BY WHICH INDIVIDUALS MAY REQUEST TO BE EXCLUDED FROM PARTICIPATION IN GAMING ACTIVITIES IN THE STATE, AS DESCRIBED IN SUBSECTION (1)(a)(I)(A) OF THIS SECTION. THE MECHANISMS MUST INCLUDE THE RECEIPT OF SUCH REQUESTS BY THE DIVISION IN WRITTEN, ELECTRONIC, AND TELEPHONIC FORM.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PERSONAL IDENTIFYING INFORMATION OF THE FOLLOWING INDIVIDUALS IS CONFIDENTIAL AND IS NOT SUBJECT TO THE REQUIREMENTS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24:

(I) INDIVIDUALS WHO REQUEST TO BE EXCLUDED FROM PARTICIPATION IN GAMING ACTIVITIES IN THE STATE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION; AND

(II) INDIVIDUALS WHO ARE PROHIBITED FROM PLACING WAGERS ON CERTAIN SPORTING EVENTS PURSUANT TO SECTION 44-30-1502 AND ARE THEREFORE EXCLUDED FROM CERTAIN SPORTS BETTING PURSUANT TO SUBSECTION (1)(a)(II) OF THIS SECTION.

(3) [Formerly 44-30-1001 (2)] (a) The commission ~~may~~ SHALL by rule provide for the establishment of a list of persons who are to be excluded or ejected from any licensed gaming establishment, including any person whose presence in the establishment is determined to pose a threat to the interest of the state of Colorado or to licensed gaming, ~~or both~~. In making the determination for exclusion, the commission may consider any of the following:

~~(a)~~ (I) Prior conviction of a felony, a misdemeanor involving moral turpitude, or a violation of the gaming laws OR GAMING RULES of any OTHER state, the United States or any of its possessions or territories, ~~including~~ OR AN Indian ~~tribes~~ TRIBE;

~~(b)~~ (II) A violation, AN attempt to violate, or A conspiracy to violate the provisions of this article 30 relating to:

(A) The failure to disclose an interest in a gaming establishment for which the person must obtain a license or TO make disclosures to the commission; or

(B) Intentional evasion of fees or taxes;

~~(c)~~ (III) A reputation that would adversely affect public confidence and trust that the gaming industry is free from criminal or corruptive influences;

~~(d)~~ (IV) Prior exclusion or ejection FROM A GAMING ESTABLISHMENT under the LAWS OR gaming rules of any other state, the United States OR any of its possessions or territories, or an Indian tribe; ~~that regulates gaming~~; OR

~~(e)~~ (V) Career or professional offenders or associates of career or

professional offenders and any others as defined by rule of the commission.

(b) [Formerly 44-30-1001 (3)] If the name and description of any person is placed on the ~~exclusion~~ list OF PERSONS TO BE EXCLUDED OR EJECTED DESCRIBED IN THIS SUBSECTION (3), the commission shall serve notice of that action upon the person by ~~at least one of the following means:~~

~~(a) By personal service,~~

~~(b) by certified mail to the last-known address of the person, or~~

~~(c) by publication in one or more official newspapers in Teller and Gilpin counties IN Colorado. A person placed upon the exclusion AND EJECTION list may contest that action by filing a written protest with the commission, and the COMMISSION SHALL HEAR THE protest shall be heard by the commission as a contested case.~~

(c) [Formerly 44-30-1001 (4)] The commission may impose sanctions upon any licensee in accordance with the provisions of this article 30 if the licensee KNOWINGLY fails to exclude or eject from the licensed premises any person placed by the commission on the list of persons to be excluded or ejected from licensed gaming establishments PURSUANT TO THIS SUBSECTION (3), which sanctions may include ~~but not be limited to,~~ suspension, revocation, limitation, modification, denial, or restriction of any license.

(4) (a) [Formerly 44-30-1002 (1)] The commission, by rule, and notwithstanding the provisions of ~~section 44-30-1001~~ SUBSECTION (3) OF THIS SECTION, may list persons to be excluded or ejected from any licensed gaming establishment ~~effective October 1, 1991,~~ if the commission finds that listing the persons on an emergency basis is necessary to avoid danger to the public safety and if the public confidence and trust would be maintained only if the persons ~~were~~ ARE listed on such an emergency basis.

(b) [Formerly 44-30-1002 (2)] Notwithstanding the provisions of section 24-4-103 (6), the listing of ~~persons~~ A PERSON to be excluded or ejected pursuant to this ~~section~~ SUBSECTION (4) expires one year after the adoption of the list, unless the provisions of ~~section 44-30-1001~~ SUBSECTION (3) OF THIS SECTION are followed for permanent listing.

(c) [Formerly 44-30-1002 (3)] With respect to the finding of danger to public safety, the commission shall consider whether ~~the persons have~~ A PERSON HAS been listed on the list of persons TO BE excluded or ejected under the laws and gaming rules of the states of Nevada, New Jersey, OR South Dakota ~~and~~ OR any other states; the United States OR its territories or possessions; or ~~any~~ AN Indian tribe. ~~regulating gaming.~~

(d) [Formerly 44-30-1002 (4)] Any rule adopted pursuant to this ~~section~~ SUBSECTION (4) shall be followed within thirty days after the emergency listing by the procedures set forth in ~~section 44-30-1001~~ SUBSECTION (3) OF THIS SECTION. A listing pursuant to this ~~section~~ SUBSECTION (4) must be vacated upon the conclusion of the rule-making proceeding initiated under ~~section 44-30-1001~~ SUBSECTION (3) OF THIS SECTION if ~~a determination is made by~~ the commission DETERMINES that a person should not have been placed on the list of persons to be excluded or ejected.

(5) ON OR BEFORE NOVEMBER 1, 2022, THE COMMISSION SHALL PROMULGATE RULES FOR THE OPERATION OF THE PROGRAM DESCRIBED IN SUBSECTIONS (1) AND (2) OF THIS SECTION. THE RULES MUST INCLUDE THE ESTABLISHMENT OF A LIST OF INDIVIDUALS TO BE EXCLUDED OR EJECTED FROM ALL GAMING ACTIVITIES IN THE STATE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, WHICH LIST IS ACCESSIBLE TO ALL LICENSED GAMING OPERATORS, INCLUDING SPORTS BETTING OPERATORS AND INTERNET SPORTS BETTING OPERATORS.

SECTION 2. In Colorado Revised Statutes, add 44-30-531 as follows:

44-30-531. Responsible gaming - advertising and promotional efforts - reports of certain licensees required - confidential records.

(1) ON OR BEFORE OCTOBER 1, 2023, AND ON OR BEFORE OCTOBER 1 EACH YEAR THEREAFTER, THE FOLLOWING LICENSEES SHALL SUBMIT TO THE DIRECTOR A REPORT THAT DESCRIBES THE EFFORTS OF THE LICENSEE IN THE PRECEDING STATE FISCAL YEAR TO PROMOTE RESPONSIBLE GAMING IN THE STATE VIA ADVERTISING AND OTHER PROMOTIONAL METHODS AND THE LICENSEE'S PLANS CONCERNING SUCH PROMOTIONAL EFFORTS IN THE CURRENT STATE FISCAL YEAR:

(a) RETAIL LICENSEES, AS DESCRIBED IN SECTION 44-30-501 (1)(c);

(b) SPORTS BETTING OPERATORS, AS DEFINED IN SECTION 44-30-1501 (11); AND

(c) INTERNET SPORTS BETTING OPERATORS, AS DEFINED IN SECTION 44-30-1501 (5).

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A REPORT SUBMITTED TO THE DIRECTOR PURSUANT TO SUBSECTION (1) OF THIS SECTION IS CONFIDENTIAL AND IS NOT SUBJECT TO THE REQUIREMENTS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

SECTION 3. In Colorado Revised Statutes, 44-30-1509, **amend** (2)(d) and (2)(e); and **add** (2)(c)(IV) as follows:

44-30-1509. Sports betting fund - wagering revenue recipients hold-harmless fund - creation - rules - definitions - repeal. (2) From the money in the sports betting fund, to the extent the unexpended and unencumbered balance in the fund so permits, the state treasurer shall:

(c) Third, transfer an amount equal to six percent of the full fiscal year sports betting tax revenues to the wagering revenue recipients hold-harmless fund, referred to in this section as the "hold-harmless fund", which is hereby created in the state treasury, from which the state treasurer shall make disbursements as directed by the commission as follows:

(IV) ON DECEMBER 31, 2023, AND ON DECEMBER 31 OF EACH YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER ANY MONEY CREDITED TO THE HOLD-HARMLESS FUND AND NOT DISBURSED WITHIN TWO YEARS AFTER THE DATE ON WHICH THE MONEY IS CREDITED TO THE HOLD-HARMLESS FUND, AS AUTHORIZED BY THE COMMISSION, TO THE RESPONSIBLE GAMING GRANT PROGRAM CASH FUND CREATED IN SECTION 44-30-1702 (8).

(d) (I) Fourth, transfer one hundred thirty thousand dollars annually to the office of behavioral health in the department of human services, to be used as follows:

(H) (A) Thirty thousand dollars for the operation of a crisis hotline for gamblers by Rocky Mountain Crisis Partners or its successor organization; and

~~(H)~~ (B) One hundred thousand dollars for prevention, education, treatment, and workforce development by, and including the payment of salaries of, counselors certified in the treatment of gambling disorders.

(II) THIS SUBSECTION (2)(d) IS REPEALED, EFFECTIVE DECEMBER 31, 2023.

(e) ~~Fifth~~ FOURTH, transfer all remaining unexpended and unencumbered money in the fund to the water plan implementation cash fund created in section 37-60-123.3.

SECTION 4. In Colorado Revised Statutes, 44-30-701, **amend** (2)(a)(VI) and (2)(a)(VII); and **add** (2)(a)(VI.5) as follows:

44-30-701. Limited gaming fund - created - repeal. (2) (a) Except as provided in subsection (2)(b) or (2)(c) of this section, at the end of the 2012-13 state fiscal year and at the end of each state fiscal year thereafter, the state treasurer shall transfer the state share as follows:

(VI) Five hundred thousand dollars to the Colorado office of film, television, and media operational account cash fund created in section 24-48.5-116, for the operation of the Colorado office of film, television, and media, for the performance-based incentive for film production in Colorado as specified in section 24-48.5-116, and for the Colorado office of film, television, and media loan guarantee program as specified in section 24-48.5-115; ~~and~~

(VI.5) FOR THE 2022-23 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO THE RESPONSIBLE GAMING GRANT PROGRAM CASH FUND CREATED IN SECTION 44-30-1702 (8); AND

(VII) Any amount of the state share that exceeds the transfers specified in subsections (2)(a)(I) to ~~(2)(a)(VI)~~ (2)(a)(VI.5) of this section shall be transferred to the general fund.

SECTION 5. In Colorado Revised Statutes, 44-40-111, **add** (1.5) as follows:

44-40-111. Lottery fund - creation - definitions. (1.5) FOR THE

2022-23 STATE FISCAL YEAR, AND FOR EACH STATE FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO HUNDRED THOUSAND DOLLARS FROM THE LOTTERY FUND TO THE DIVISION TO COVER EXPENSES RELATING TO THE DIVISION'S EFFORTS TO PROMOTE RESPONSIBLE GAMING IN THE STATE.

SECTION 6. In Colorado Revised Statutes, 44-30-1501, **amend** (7) as follows:

44-30-1501. Definitions - rules - repeal. Definitions applicable to this part 15 also appear in section 44-30-103 and article 1 of this title 44. As used in this part 15, unless the context otherwise requires:

(7) (a) "Net sports betting proceeds" means the total amount of all bets placed by players in a sports betting operation or internet sports betting operation, ~~excluding free bets~~, less all payments to players, LESS FREE BETS AS DESCRIBED IN SUBSECTIONS (7)(b) AND (7)(c) OF THIS SECTION, and less all excise taxes paid pursuant to federal law. Payments to players include all payments of cash premiums, merchandise, or any other thing of value.

(b) (I) UNTIL JANUARY 1, 2023, WHEN DETERMINING THE FREE BETS DEDUCTION USED FOR CALCULATING "NET SPORTS BETTING PROCEEDS" EACH MONTH, AS DESCRIBED IN SUBSECTION (7)(a) OF THIS SECTION, A SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR MAY:

(A) INCLUDE ALL FREE BETS PLACED BY PLAYERS WITH THE SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR; AND

(B) CARRY FORWARD ANY UNUSED FREE BET CREDITS ACCUMULATED ON OR BEFORE NOVEMBER 30, 2022.

(II) THIS SUBSECTION (7)(b) IS REPEALED, EFFECTIVE JULY 1, 2023.

(c) (I) ON AND AFTER JANUARY 1, 2023, WHEN DETERMINING THE FREE BETS DEDUCTION USED FOR CALCULATING "NET SPORTS BETTING PROCEEDS" EACH MONTH, AS DESCRIBED IN SUBSECTION (7)(a) OF THIS SECTION, A SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR SHALL INCLUDE ONLY A PORTION OF THE TOTAL FREE BETS PLACED BY PLAYERS WITH THE SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR, AS FOLLOWS:

(A) ON AND AFTER JANUARY 1, 2023, THROUGH JUNE 30, 2024, NO MORE THAN TWO AND ONE-HALF PERCENT OF THE TOTAL AMOUNT OF ALL BETS PLACED BY PLAYERS WITH THAT SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR EACH MONTH;

(B) ON AND AFTER JULY 1, 2024, THROUGH JUNE 30, 2025, NO MORE THAN TWO AND ONE-FOURTH PERCENT OF THE TOTAL AMOUNT OF ALL BETS PLACED BY PLAYERS WITH THAT SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR EACH MONTH;

(C) ON AND AFTER JULY 1, 2025, THROUGH JUNE 30, 2026, NO MORE THAN TWO PERCENT OF THE TOTAL AMOUNT OF ALL BETS PLACED BY PLAYERS WITH THAT SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR EACH MONTH; AND

(D) ON AND AFTER JULY 1, 2026, NO MORE THAN ONE AND THREE-QUARTERS PERCENT OF THE TOTAL AMOUNT OF ALL BETS PLACED BY PLAYERS WITH THAT SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR EACH MONTH.

(II) FOR THE PURPOSES OF SUBSECTION (7)(c)(I) OF THIS SECTION, A SPORTS BETTING OPERATOR OR INTERNET SPORTS BETTING OPERATOR SHALL NOT:

(A) CARRY OVER TO THE NEXT MONTH ANY FREE BETS PLACED IN EXCESS OF THE DEDUCTION ALLOWED FOR ANY MONTH; OR

(B) CARRY FORWARD ANY UNUSED FREE BET CREDITS ACCUMULATED BEFORE JANUARY 1, 2023.

SECTION 7. In Colorado Revised Statutes, 44-40-109, **amend** (2) introductory portion, (2)(g), (3)(a) introductory portion, and (3)(a)(I) as follows:

44-40-109. Commission - powers and duties - rules. (2) Except as provided in subsection (3) of this section, rules promulgated pursuant to subsection (1) of this section ~~shall~~ **MUST** include: ~~but shall not be limited to; the following:~~

(g) The method to be used in selling tickets or shares; ~~but all sales~~

~~shall be on a cash-only basis;~~

(3) (a) The commission shall promulgate rules pursuant to subsection (1) of this section for the general administration of all instant scratch games. The rules ~~shall~~ MUST include: ~~but shall not be limited to:~~

(I) The method to be used in selling instant scratch game tickets; ~~but all sales shall be on a cash-only basis;~~

SECTION 8. In Colorado Revised Statutes, 24-34-104, **add** (33)(a)(III) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (33) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2032:

(III) THE RESPONSIBLE GAMING GRANT PROGRAM CREATED IN SECTION 44-30-1702.

SECTION 9. In Colorado Revised Statutes, 24-75-402, **add** (5)(zz) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in the amount of fees - exclusions. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(zz) THE RESPONSIBLE GAMING GRANT PROGRAM CASH FUND CREATED IN SECTION 44-30-1702 (8).

SECTION 10. Repeal of relocated provisions. In Colorado Revised Statutes, **repeal** part 10 of article 30 of title 44.

SECTION 11. In Colorado Revised Statutes, 18-20-112, **amend** (1) and (2) as follows:

18-20-112. Unlawful entry by excluded and ejected persons. (1) It is unlawful for any person whose name is on the list promulgated by the Colorado limited gaming control commission pursuant to ~~section~~

~~44-30-1001 or 44-30-1002~~ SECTION 44-30-1703 (3) OR (4) to enter the licensed premises of a limited gaming licensee.

(2) It is unlawful for any person whose name is on the list promulgated by the Colorado limited gaming control commission pursuant to ~~section 44-30-1001 or 44-30-1002~~ SECTION 44-30-1703 (3) OR (4) to have any personal pecuniary interest, direct or indirect, in any limited gaming licensee, licensed premises, establishment, or business involved in or with limited gaming or in the shares in any corporation, association, or firm licensed pursuant to article 30 of title 44.

SECTION 12. In Colorado Revised Statutes, 44-30-827, **amend** (1) and (2) as follows:

44-30-827. Unlawful entry by excluded and ejected persons.

(1) It is unlawful for any person whose name is on the list promulgated by the commission pursuant to ~~section 44-30-1001 or 44-30-1002~~ SECTION 44-30-1703 (3) OR (4) to enter the licensed premises of a limited gaming licensee.

(2) It is unlawful for any person whose name is on the list promulgated by the commission pursuant to ~~section 44-30-1001 or 44-30-1002~~ SECTION 44-30-1703 (3) OR (4) to have any personal pecuniary interest, direct or indirect, in any limited gaming licensee, licensed premises, establishment, or business involved in or with limited gaming or in the shares in any corporation, association, or firm licensed pursuant to this article 30.

SECTION 13. Appropriation. (1) For the 2022-23 state fiscal year, \$200,000 is appropriated to the department of revenue for use by the lottery division. This appropriation is from the lottery fund created in section 44-40-111 (1), C.R.S. To implement this act, the division may use this appropriation for marketing and communications.

(2) For the 2022-23 state fiscal year, \$2,500,000 is appropriated to the department of revenue for use by the specialized business group. This appropriation is from the responsible gaming grant program cash fund created in section 44-30-1702 (8)(a), C.R.S. To implement this act, the specialized business group may use this appropriation for the responsible gaming grant program.

SECTION 14. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 44-30-1509 (2)(e), Colorado Revised Statutes, as amended in section 3 of this act, takes effect January 1, 2024.



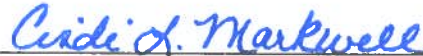
Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED June 7, 2022 at 3:46 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO