

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-0877.01 Megan Waples x4348

SENATE BILL 18-182

SENATE SPONSORSHIP

Coram and Guzman,

HOUSE SPONSORSHIP

Catlin and Arndt,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

Agriculture, Livestock, & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY TO ALLOCATE A PORTION OF THE**
102 **SOURCE MARKET FEE TO STATUTORILY AUTHORIZED PURSE**
103 **FUNDS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires persons outside of Colorado who accept wagers from residents of Colorado on simulcast horse racing events to be licensed in Colorado and to pay a source market fee into the racing cash fund. The bill authorizes the director of the division of racing events to allocate a portion of the source market fee to be paid to the horse

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

HOUSE
3rd Reading Unamended
April 2, 2018

HOUSE
2nd Reading Unamended
March 26, 2018

SENATE
3rd Reading Unamended
March 14, 2018

SENATE
Amended 2nd Reading
March 13, 2018

breeders' and owners' awards and supplemental purse fund (supplemental purse fund), if necessary, to maintain a sustainable and competitive purse structure in Colorado. The money credited to the supplemental purse fund from the source market fee is to be paid out as purses for races held at live race meets in Colorado, as authorized by the director, or as otherwise authorized by rules of the commission.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-60-202, **amend**
3 (3) introductory portion and (3)(h) as follows:

4 **12-60-202. Director - qualifications - powers and duties.**

5 (3) The director, as administrative head of the division, shall direct and
6 supervise all administrative and technical activities of the division. In
7 addition to the duties imposed upon the director elsewhere in this ~~article~~
8 ARTICLE 60, it shall be the director's duty:

9 (h) (I) To establish and adjust fees for all licenses and
10 registrations issued pursuant to this ~~article~~ ARTICLE 60 in an amount
11 sufficient to generate revenue that approximates the direct and indirect
12 cost of administering this ~~article~~ ARTICLE 60; except that an increase of
13 more than ten percent in the fee for an occupational license or registration
14 shall be subject to ratification by the commission. EXCEPT AS PROVIDED
15 IN SUBSECTION (3)(h)(II) OF THIS SECTION, such fees shall be credited to
16 the racing cash fund created in section 12-60-205.

17 (II) IN ESTABLISHING AND ADJUSTING THE SOURCE MARKET FEE
18 DEFINED IN SECTION 12-60-102 (25.5), THE DIRECTOR MAY ALLOCATE A
19 PORTION OF THE FEE TO BE CREDITED TO ANY HORSE PURSE TRUST
20 ACCOUNT ESTABLISHED IN ACCORDANCE WITH SECTION 12-60-702 (1)(f)
21 IF THE DIRECTOR DETERMINES THAT SUCH AN ALLOCATION IS NECESSARY
22 TO MAINTAIN A SUFFICIENT AND COMPETITIVE PURSE STRUCTURE. THE

1 TOTAL FEE PAID UNDER THIS SECTION MUST NOT EXCEED THE LIMIT SET
2 FORTH IN SECTION 12-60-501 (2)(d).

3 **SECTION 2.** In Colorado Revised Statutes, 12-60-702, add
4 (1)(f)(III) as follows:

5 **12-60-702. Unlawful to wager - exception - excess - taxes -**
6 **special provisions for simulcast races.** (1) (f) A licensee or operator
7 shall retain horse purse funds, including funds established in section
8 12-60-704, payable by the licensee or operator under this section in a trust
9 account in a commercial bank located in Colorado until the purse funds
10 are paid to the horse owners or to the host track for payment to the horse
11 owners; except that:

12 (III) MONEY CREDITED TO A HORSE PURSE TRUST ACCOUNT FROM
13 THE SOURCE MARKET FEE IN ACCORDANCE WITH SECTION 12-60-202
14 (3)(h)(II) SHALL BE PAID AS AUTHORIZED BY THE DIRECTOR AS PURSES FOR
15 RACES HELD AT LIVE RACE MEETS IN COLORADO OR AS OTHERWISE
16 AUTHORIZED BY RULES OF THE COMMISSION.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.